



# Victim Issues for Parole Boards

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# Victim Issues for Parole Boards

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# Introduction

The emergence of the victim rights movement in the early 1980s led to increased attention to victim participation in the criminal justice system. Early state victim rights legislation focused largely on rights and services afforded during the prosecution of a criminal case. Yet, little attention was paid to victims' concerns, rights, and role in post-conviction proceedings, including parole hearings.

*Parole* is an inmate's early release before the maximum limit of his/her sentence has been served, allowing for restrictions on the inmate's conduct once returned to the community. A parole officer supervises these restrictions. Parole is a privilege that an inmate must earn by good behavior in prison. Parole dates back to the mid-1800s as a way of facilitating a

smoother transition from prison life to the community.

Over the last two decades, however, controversy about the utility and efficacy of the parole system has become widespread. *The President's Task Force on Victims of Crime Final Report* (1982) recommended that parole systems should be eliminated. Short of that happening, it made recommendations which, if implemented, would ensure some measure of balance among the needs of inmates, victims, and the community, as well as greater accountability to the public. Since then, the federal prison system and a number of state systems have eliminated parole. Other states have implemented measures to provide a role for victims in the parole board's deliberations.



Some critics argue that affording victims the right to be notified about an inmate's parole eligibility does not go far enough. Notification alone raises fears, anxiety, concerns, and questions on the part of victims. Parole boards in some states have created separate victim service divisions to address victims' needs for emotional support, crisis intervention, referrals, and information about the process upon

receiving notification. As of 1990, 37 states had passed legislation granting victims the right to submit victim impact statements and 34 states allowed them to attend parole hearings and offer their input into the parole board's decisionmaking process. Parole boards have found victim input invaluable in their decisionmaking, in becoming more accountable, and in improving people's attitudes about parole.

# Purpose

This video shares with the viewer the perspectives of victims and parole board members about the value of victim participation in the parole decisionmaking process. It features examples from California, Massachusetts, and South Carolina, where special efforts have been made to increase victim participation. It demonstrates that the inmate is not the only person affected by the decisions of the parole board and depicts an actual parole board hearing. The video suggests that, at a minimum, victims should be notified in advance of an inmate's eligibility for release in order to address safety concerns and prepare themselves

psychologically. While parole boards take into consideration information about the inmate and his/her behavior in prison, board members have come to appreciate the value of the information the victim can provide regarding the circumstances of the crime, threats received, fears of retaliation, and concerns or knowledge about the inmate's dangerousness.

This video also addresses a concern expressed by many parole board members—how to remain objective and strike a balance between the victim's input and desires and other available and relevant information.

# Objectives

The video is designed to help parole board members accomplish the following:

- Recognize the concerns of crime victims in the parole process.
- Understand how parole boards can benefit from victim participation.
- Determine the balance required among the needs of inmates, victims, and the community.





# Discussion Questions

1 What factors do you consider in your decisions to grant release to an inmate?

2 What are the advantages of victim participation and input? Disadvantages?

3 What would you need to implement a system that permitted victim participation in the parole process?

4 What information about parole needs to be better communicated to victims and the public? How would you go about disseminating that information?

# Summary of Key Points

- The reality is that most sentences for criminal acts are time limited, which means that most offenders will eventually be released to the community. Parole allows offenders to be released to the community before the completion of their sentence. While on parole, they are supervised by a parole officer and must comply with certain rules and restrictions on their behavior.
- Parole boards must determine whether an offender is believed to be at risk to reoffend. They review available and relevant information to assist them in this decisionmaking process. Parole boards consider factors such as the nature of the offense, prior criminal history, behavior during incarceration, and community support for and opposition to release.
- Often, so much is said in support of the offender at the parole hearing that members may forget why the offender is incarcerated. Involvement of victims in the parole system gives the parole board members additional information about the offender and about the long-term, devastating impact of the offender's actions on the victim.
- Victim participation can take several forms:
  - notification of an inmate's eligibility for release
  - written statements from victims about the impact of the crime and concerns about an inmate's release
  - attendance and testimony at parole hearings

- Some parole boards have created victim service divisions to assist crime victims by providing notification, information about the parole process, and emotional support. Some even have a victim member on the board. Victim participation and victim assistance programs in the parole system require resources and time. However, parole board members in those states that have them agree that the benefits far outweigh the costs.
- Some parole board members believe that the emotional appeal of victims' verbal testimony may be too influential on their decisionmaking. Parole board members need to learn to balance victim input with other relevant factors and testimony in order to ensure fairness in the process.



# Resources

California Parole Board  
Board of Prison Terms  
428 J Street, Sixth Floor  
Sacramento, CA 95814  
(916) 445-4071  
Attn: Steven G. Butler

Massachusetts Parole Board  
Victims Service Unit  
27-43 Wormwood Street,  
Suite 300  
Boston, MA 02210-1606  
(617) 727-3271  
Attn: Marcia Hill  
Director  
Victims Service Unit

National Center for  
Victims of Crime  
2111 Wilson Boulevard,  
Suite 300  
Arlington, VA 22201  
(703) 276-2880  
(800) FYI-CALL

National Organization  
for Victim Assistance  
1757 Park Road NW.  
Washington, DC 20010  
(202) 232-6682

South Carolina Parole Board  
Department of Probation,  
Parole & Pardon Services  
P.O. Box 50666  
Columbia, SC 29250  
(803) 734-9274  
Attn: Marian Lindsay  
Director of Victim Services



# References

Hubbard, S., Hardy, N., Hill, M. 1996. *Listening to victims*. Boston: Massachusetts Parole Board, Victims Service Unit.

Karmen, Andrew. 1996. *Crime victims: An introduction to victimology, 3rd ed.* New York: Brooks/Cole Publishers.

Lafferty, Shelagh. 1996. *In the aftermath of crime: A guide to victim rights and services in Massachusetts*. Boston: Massachusetts Office for Victim Assistance.

*The President's Task Force on Victims of Crime Final Report*. 1982. Washington, DC: U.S. Government Printing Office.



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